

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Letters Patent of:

Kazutaka NAKAMOTO et al.

Patent No.: 7,932,272 B2 Confirmation No.: 9930

Issued: April 26, 2011 Art Unit: 1625

For: NOVEL ANTIFUNGAL AGENT
CONTAINING HETEROCYCLIC
COMPOUND Examiner: Patricia L. Morris

REQUEST FOR CERTIFICATE OF CORRECTION
PURSUANT TO 35 U.S.C. 254 AND 37 C.F.R. 1.322 (PTO MISTAKE)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Upon reviewing the above-identified patent, the errors shown in the attached PTO/SB/44 were noted. Specifically, correction of the title as follows is required:

On the Title Page, at section (54), and at column 1, lines 1-2, correct the title to read as follows:

--NOVEL ANTIFUNGAL AGENT CONTAINING HETEROCYCLIC COMPOUND--

The mistakes were the fault of the PTO as evidenced by the attached copies of the Declaration filed with the application and Official Filing Receipt (see page 2 thereof).

Transmitted herewith is a proposed Certificate of Correction effecting such amendment.

Patentee respectfully solicits the granting of the requested Certificate of Correction.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

Dated: **JUL 13 2011**

Respectfully submitted,

By 
John W. Bailey
Registration No.: 32881
BIRCH, STEWART, KOLASCH & BIRCH, LLP
8110 Gatehouse Road, Suite 100 East
P.O. Box 747
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703-205-8000

Attachments

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,932,272 B2

APPLICATION NO. : 10/573,890

ISSUE DATE : April 26, 2011

INVENTOR(S) : Kazutaka NAKAMOTO et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the Title Page, at section (54), correct the title to read as follows:

-- NOVEL ANTIFUNGAL AGENT CONTAINING HETEROCYCLIC COMPOUND --.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

John W. Bailey

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PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT AND DESIGN APPLICATIONS

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

NOVEL ANTIFUNGAL AGENT CONTAINING HETEROCYCLIC COMPOUND

the specification of which is attached hereto. If not attached hereto, the application is identified by the attorney docket number as set forth above and/or the following:

Fill in Appropriate Information -

For Use Without Specification Attached:

The specification was filed on _____ as United States Application Number _____;

and amended on _____ (if applicable) and/or

the specification was filed on September 27, 2004 as PCT International Application Number PCT/JP2004/014063;

and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Insert Priority Information (if appropriate)

			Priority Claimed
2003-342273 (Number)	Japan (Country)	September 30, 2003 (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
2004-068186 (Number)	Japan (Country)	March 10, 2004 (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
(Number)	(Country)	(Month/Day/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No
(Number)	(Country)	(Month/Day/Year Filed)	<input type="checkbox"/> Yes <input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional Application(s): (if any)

(Application Number)	(Filing Date)
(Application Number)	(Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Insert Requested Information (if appropriate)

Country	Application Number	Date of Filing (Month/Day/Year)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s), including for continuation-in-part application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S. Application(s): (if any)

(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)
(Application Number)	(Filing Date)	(Status - patented, pending, abandoned)

Attorney Docket No. _____

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I hereby appoint the practitioners at CUSTOMER NO. 02292 as my attorneys or agents to prosecute this application and/or an international application based on this application and to transact all business in the United States Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the practitioners, unless the inventor(s) or assignee provides said practitioners with a written notice to the contrary:

Send Correspondence to:

CUSTOMER NO. 02292 (BIRCH, STEWART, KOLASCH & BIRCH, LLP)
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050

**PLEASE NOTE:
YOU MUST
COMPLETE
THE
FOLLOWING:**
↓

Full Name of First
or Sole Inventor
Insert Name of
Inventor →
Insert Date This
Document is Signed
Insert Residence
Insert Citizenship →

Insert Post Office
Address →

Full Name of Second
Inventor, if any:
see above

Full Name of Third
Inventor, if any:
see above

Full Name of Fourth
Inventor, if any:
see above

Full Name of Fifth
Inventor, if any:
see above

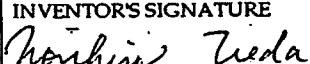
GIVEN NAME/FAMILY NAME Kazutaka NAKAMOTO	INVENTOR'S SIGNATURE <i>Kazutaka Nakamoto</i>	DATE* March, 01, 2006
Residence (City, State & Country) Tsukuba-Shi, Ibaraki, Japan		CITIZENSHIP Japan
MAILING ADDRESS (Complete Street Address including City, State & Country) c/o Tsukuba Research Laboratories, Eisai Co., Ltd., 1-3, Tokodai 5-chome, Tsukuba-shi, Ibaragi 300-2635, Japan		
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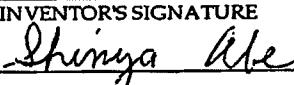
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GIVEN NAME/FAMILY NAME Satoshi INOUE	INVENTOR'S SIGNATURE 	DATE* March 1, 2006
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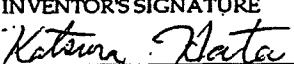
Full Name of Seventh Inventor, if any:
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GIVEN NAME/FAMILY NAME Norihiko UEDA	INVENTOR'S SIGNATURE 	DATE* March 8, 2006
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GIVEN NAME/FAMILY NAME Shinya ABE	INVENTOR'S SIGNATURE 	DATE* March 1, 2006
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Full Name of Tenth Inventor, if any:
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GIVEN NAME/FAMILY NAME Naoaki WATANABE	INVENTOR'S SIGNATURE 	DATE* Mar. 1, 2006
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*DATE OF SIGNATURE

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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/573,890	03/29/2006	1752	4400	3939-0118PUS1		40	3

CONFIRMATION NO. 9930

2292
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA22040-0747

FILING RECEIPT

Date Mailed: 02/05/2007

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Kazutaka Nakamoto, Tsukuba-Shi, JAPAN;
Itaru Tsukada, Tsukuba-Shi, JAPAN;
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Shinya Abe, Tsukuba-Shi, JAPAN;
Katsura Hata, Tsukuba-Shi, JAPAN;
Naoaki Watanabe, Tsukuba-Shi, JAPAN;

Power of Attorney: The patent practitioners associated with Customer Number 02292

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/JP04/14063 09/27/2004

Foreign Applications

JAPAN 2003-342273 09/30/2003
JAPAN 2004-068186 03/10/2004

If Required, Foreign Filing License Granted: 01/31/2007

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/573,890**

Projected Publication Date: 05/10/2007

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Non-Publication Request: No

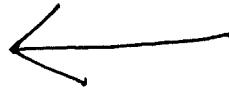
Early Publication Request: No

Title

Novel antifungal agent containing heterocyclic compound

Preliminary Class

430



PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

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Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

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Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

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